

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sebastian Saavedra	Team: Squad #1	CCRB Case #: 202005253	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/24/2020 8:25 PM	Location of Incident: Centre Street and Reade Street	Precinct: 05	18 Mo. SOL 1/24/2022	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 07/27/2020 2:39 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 07/27/2020 2:39 PM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. CPT Ronald Ramos	00000	935562	SRG 4		
Officer(s)	Allegation			Investigator Recommendation	
A.CPT Ronald Ramos	Force: Captain Ronald Ramos used physical force against § 87(2)(b)				

Case Summary

On July 27, 2020, § 87(2)(b) filed this complaint with the CCRB via its online website.

On July 24, 2020, at approximately 8:25pm, § 87(2)(b) was on his way to a Black Lives/Transgender Lives Matter protest near Foley Square in Manhattan. At the intersection of Centre Street and Reade Street, § 87(2)(b) approached a metal barricade blocking northbound traffic on Centre Street. Captain Ronald Ramos of Strategic Response Group 4 grabbed § 87(2)(b) under his right armpit and walked him over to Reade Street (**Allegation A: Force-§ 87(2)(g)**).

No body-worn camera (BWC) footage was received for this incident. The nature of this incident did not require the use of BWC as per NYPD Patrol Guide Section 212-123 (Board Review 07).

Findings and Recommendations

Allegation (A) Force: Captain Ronald Ramos used physical force against § 87(2)(b)

§ 87(2)(b) testified that on July 24, 2020, at approximately 8:25pm, he planned to attend a Transgender Lives/Black Lives Matter protest taking place at Foley Square in Manhattan. § 87(2)(b) was walking northbound on Centre Street, and observed a metal barricade blocking Centre Street at its intersection with Reade Street. § 87(2)(b) observed a group of approximately 50 police officers on the north side of the barricade. § 87(2)(b) stated that, as they were all positioned on the north side of the barricade, he believed that the officers were blocking southbound pedestrian traffic on Centre Street (out of the protest area) but not northbound traffic. § 87(2)(b) approached the barricade, and when he was at a distance of approximately 50 feet from it, an unidentified officer, whose description § 87(2)(b) did not recall, asked him where he was going, and told him that he needed to leave. § 87(2)(b) did not recall a description of this officer. § 87(2)(b) told the officer that no one had told him he could not be in the area and asked him where he should go from there. Cpt. Ramos immediately approached § 87(2)(b) and grabbed § 87(2)(b)'s right arm, under his armpit, with his left hand. Cpt. Ramos then guided him over to another barricade that blocked westbound access to Reade Street, holding on to his arm for approximately 7 seconds and using "enough force to keep [him] moving forward." § 87(2)(b) was not resisting physically in any way. § 87(2)(b) asked Cpt. Ramos what he was doing, and Cpt. Ramos replied that § 87(2)(b) had refused a direct order. § 87(2)(b) then walked westward on Reade Street, away from the barricaded area (Board Review 01).

Cpt. Ramos testified that he did not independently recall this incident but stated that he was stationed near the intersection of Centre Street and Reade Street for the entirety of July 2020. Cpt. Ramos stated that he recalled several interactions with civilians wherein he needed to physically remove them from a barricaded area but did not recall § 87(2)(b) specifically when given a description of him or the incident (as no photograph of § 87(2)(b) was available). Cpt. Ramos stated that the procedure he would generally use in an interaction of this sort would be to verbally command the civilian to leave the area, and if they did not do so willingly, he would physically remove them. When asked whether he recalled grabbing a civilian under the armpit and guiding them out of the area, he stated that he did not, but that this would be the manner in which he would generally remove a civilian if he needed to do so physically (Board Review 02).

Officers may use force when it is reasonable to ensure the safety of an officer or civilian, or when it is reasonable to place a person in custody or prevent escape from custody. The reasonableness of an officer's use of force is based on the totality of the circumstances known by the officer at the time, NYPD Patrol Guide Section 221-01 (Board Review 03).

§ 87(2)(b), § 87(2)(g)

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 04).
- Cpt. Ramos has been a member-of-service for 16 years and has been subject in one prior CCRB complaint and one allegation, which was not substantiated. § 87(2)(g)

- § 87(2)(b) declined to mediate this complaint.
- As of September 9, 2020, the New York City Comptroller's Office has no record of a notice of claim being filed with regard to this complaint (Board Review 05).
- According to the Office of Court Administration (OCA) § 87(2)(b) has no history of convictions in New York City (Board Review 06).

Investigator:	<u>Inv. Saavedra</u> Signature	 Print Title & Name	<u>9/30/2020</u> Date
Squad Leader:	<u>Mgr. Joy Almeyda</u> Signature	 Print Title & Name	<u>10.2.20</u> Date
Reviewer:	 Signature	 Print Title & Name	 Date